IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 24TH NOVEMBER 2006 / 3RD AGRAHAYANA 1928

Crl.Rev.Pet.No. 4147 of 2006()

CRA.500/2000 of ADDL. SESSIONS COURT (ADHOC), TRIVANDRUM
CC.10/1998 of JUDL. MAGISTRATE OF FIRST CLASS-IV (MOBILE), TRIVANDRUM

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REVN. PETITIONERS/APPELLANTS/ACCUSED 1 &2::

1. M/S. SPAN ASIA TOURS & TRAVELS (P) LTD.,
T.C. 15/1652, OPPOSITE GOVT. COLLEGE FOR WOMEN,
VAZHUTHACAUD, THIRUVANANTHAPURAM-14,
REPRESENTED BY ITS MANAGING DIRECTOR,
MR. A. SHAJAHAN.

2. MR. A. SHAJAHAN,
MANAGING DIRECTOR,
M/S. SPAN ASIA TOURS & TRAVELS (P) LTD.,
T.C.15/1652, OPPOSITE GOVT. COLLEGE FOR WOMEN,
VAZHUTHACAUD, THIRUVANANTHAPURAM.

BY ADV. SRI.M.SREEKUMAR

RESPONDENTS/RESPONDENTS/COMPLAINANT & STATE:

1. SPENCER & COMPANY LTD.,
G.S.A. AIR MALDIVES,
SPENCER JUNCTION, M.G. ROAD,
THIRUVANANTHAPURAM.

2. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR , HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI C.K. SURESH.

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 24/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.T. SANKARAN, J.

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CRL. R.P. 4147 OF 2006

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Dated this the 24th November , 2006

O R D E R

The petitioners were convicted and the first accused/company was sentenced to pay a fine of Rs. 5,000/- . The second accused was sentenced to undergo simple imprisonment for six months. Both the accused were jointly and severally made liable to pay a sum of Rs. 63,420/- as compensation under section 357(3) of the Code of Criminal Procedure. The accused were also directed to pay a sum of Rs.1,000/- as cost. On appeal by the accused, the appellate court dismissed the appeal and confirmed the conviction and sentence .

2. Learned counsel for the petitioners submits that the petitioners are prepared to pay compensation and fine. The only prayer made by the counsel is that the period of imprisonment may be reduced.

3. Taking into account the facts and circumstances of the case and nature of the offence, it is only just and proper to direct the second petitioner/second accused to undergo imprisonment till the rising of the court. The sentence to pay the fine of Rs.5,000/- and the direction to pay Rs. 63,420/- as compensation under section 357(3) as well as the

direction to pay cost of Rs.1,000/- are confirmed. However, the petitioners are granted two months' time to pay compensation amount of Rs.63,420/-. Since time is granted as above, warrant shall be kept in abeyance till the expiry of the period provided.

Crl. Revision Petition is disposed of as above.

K.T. SANKARAN,
JUDGE.

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K.T. SANKARAN, J.

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CRL. M.A.No. CRL. R.P. 4147 OF 2006

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Dated this the 24th November , 2006

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